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IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

RANDY W. BOYKO and MARISA BOYKO,

Plaintiffs,

No. C 09-01739 JSW

v.

QUALITY LOAN SERVICE  
CORPORATION, ET AL.,

Defendants.

**ORDER GRANTING REQUEST  
TO CONTINUE HEARING AND  
BRIEFING ON PENDING  
MOTION TO DISMISS**

This matter was set for a hearing on July 17, 2009 on the Defendants Federal Deposit Insurance Corporation and Mortgage Electronic Registration Systems, Inc.'s motion to dismiss the complaint, or in the alternative, for a more definite statement. On April 28, 2009, the Court ordered that an opposition to the motion had to be filed no later than May 13, 2009 and a reply had to be filed no later than May 20, 2009.

Having received no opposition, the Court has now received a motion to withdraw as counsel from counsel for Plaintiffs Randy W. Boyko and Marisa Boyko based on their failure to pay attorneys' fees. The motion also requests that the Court extend the deadline for Plaintiffs to file an opposition to the pending motion to dismiss until two weeks after the hearing on the motion to withdraw now set for August 28, 2009, or to have up to and including September 14, 2009 to file an opposition. On July 8, 2009, the Court received Defendants' opposition to the request for an extension of time to respond to their motion to dismiss.

1       The Court finds there is good cause to grant the request for extension of time to oppose  
2 the pending motion to dismiss. Therefore, an opposition to the motion shall be filed no later  
3 than September 14, 2009 and a reply, if any, shall be filed by no later than September 21, 2009.  
4 The hearing on the motion to dismiss shall be CONTINUED from July 17, 2009 to October 2,  
5 2009 at 9:00 a.m.

6       In addition, any objection to the pending motion to withdraw as counsel shall be filed no  
7 later than August 14, 2009.

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9       **IT IS SO ORDERED.**

10      Dated: July 9, 2009

*Jeffrey S. White*  
11      \_\_\_\_\_  
12      JEFFREY S. WHITE  
13      UNITED STATES DISTRICT JUDGE